



Atty. Dkt. No. 077319-0389

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: Ralph M. ELLISON et al.

Title: COMPOSITIONS AND METHODS FOR THE TREATMENT  
OF PRIMARY AND METASTATIC NEOPLASTIC  
DISEASES USING ARSENIC COMPOUNDS

Appl. No.: 10/649,776

Filing Date: 08/28/2003

Examiner: Not yet assigned

Art Unit: 1614

**INFORMATION DISCLOSURE STATEMENT**  
**UNDER 37 CFR §1.56**

Mail Stop Amendment  
Commissioner for Patents  
PO Box 1450  
Alexandria, Virginia 22313-1450

Sir:

Applicants submit herewith on Form PTO/SB/08 a listing of the documents cited by or submitted to the U.S. PTO in parent application Serial No. 09/173,531, filed 10/15/1998. As provided in 37 CFR §1.98(d), copies of the documents are not being provided since they were previously submitted to the United States Patent & Trademark Office in the above-identified parent application.

The submission of any document herewith, which is not a statutory bar, is not intended as an admission that such document constitutes prior art against the claims of the present application or that such document is considered material to patentability as defined in 37 CFR §1.56(b). Applicants do not waive any rights to take any action which would be appropriate to antedate or otherwise remove as a competent reference any document which is determined to be a *prima facie* art reference against the claims of the present application.



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TIMING OF THE DISCLOSURE

The listed documents are being submitted in compliance with 37 CFR §1.97(b), before the mailing date of the first Office Action on the merits.

RELEVANCE OF EACH DOCUMENT

The relevance of the majority of the foreign-language documents is explained in the parent application.

Further, some of the documents listed on the attached PTO/SB/08 were cited as being relevant during the prosecution of the corresponding European applications. A copy of each of the European Search Reports is attached setting forth the portion of each document considered relevant by the examiner. The absence of a translation or an English-language counterpart document does not relieve the PTO from its duty to consider any submitted document (37 CFR §1.98 and MPEP§609).

Applicants respectfully request that any listed document be considered by the Examiner and be made of record in the present application and that an initialed copy of Form PTO/SB/08 be returned in accordance with MPEP §609.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 CFR §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741.

Respectfully submitted,

By 

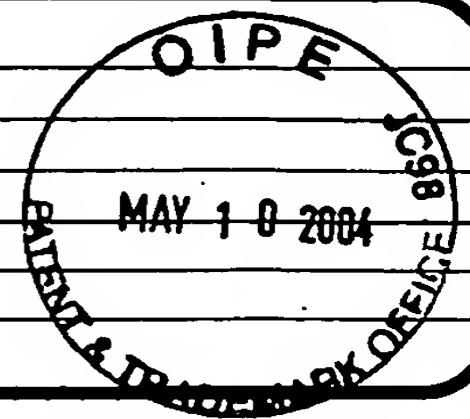
Date 7 May 2004

FOLEY & LARDNER LLP  
Customer Number: 22428  
Telephone: (202) 672-5404  
Facsimile: (202) 672-5399

Stephen A. Bent  
Attorney for Applicant  
Registration No. 29,768

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| Substitute for form 1449B/PTO<br><b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b><br>Date Submitted: May 10, 2004<br>(use as many sheets as necessary) |   |    |   | <b>Complete if Known</b> |                  |
| Sheet  | 1 | of | 7 | Application Number       | 10/649,776       |
|  |   |    |   | Filing Date              | 08/28/2003       |
|  |   |    |   | First Named Inventor     | Ralph M. ELLISON |
|  |   |    |   | Group Art Unit           | 1614             |
|  |   |    |   | Examiner Name            | Unassigned       |
|  |   |    |   | Attorney Docket Number   | 077319-0389      |

**U.S. PATENT DOCUMENTS**

| Examiner Initials* | Cite No. <sup>1</sup> | U.S. Patent Document |                                   | Name of Patentee or Applicant of Cited Document | Date of Publication of Cited Document<br>MM-DD-YYYY | Pages, Columns, Lines,<br>Where Relevant<br>Passages or Relevant<br>Figures Appear |
|--------------------|-----------------------|----------------------|-----------------------------------|---|---|--|
|                    |                       | Number               | Kind Code <sup>2</sup> (if known) |   |   |  |
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**FOREIGN PATENT DOCUMENTS**

| Examiner Initials* | Cite No. <sup>1</sup> | Foreign Patent Document |                     |                                      | Name of Patentee or Applicant of Cited Documents | Date of Publication of Cited Document<br>MM-DD-YYYY | Pages, Columns, Lines,<br>Where Relevant<br>Passages or Relevant<br>Figures Appear | T <sup>6</sup> |
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|                    |                       | Office <sup>3</sup>     | Number <sup>4</sup> | Kind Code <sup>5</sup><br>(if known) |  |   |  |                |
|                    |                       | JP                      | 51-88620            |                                      |  | 03/08/76  |  |                |
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INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT

Date Submitted: May 10, 2004

(use as many sheets as necessary)

Sheet

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7

Complete if Known

|                      |                  |
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| First Named Inventor | Ralph M. ELLISON |
| Group Art Unit       | 1614             |
| Examiner Name        | Unassigned       |

Attorney Docket Number 077319-0389

NON PATENT LITERATURE DOCUMENTS

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|--------------------|-----------------------|---|----------------|
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|  |   |    |   | Filing Date            | 08/28/2003       |
|  |   |    |   | First Named Inventor   | Ralph M. ELLISON |
|  |   |    |   | Group Art Unit         | 1614             |
|  |   |    |   | Examiner Name          | Unassigned       |
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| INFORMATION DISCLOSURE<br>STATEMENT BY APPLICANT |   |    |   | Application Number     | 10/649,776       |
| Date Submitted: May 10, 2004                     |   |    |   | Filing Date            | 08/28/2003       |
| (use as many sheets as necessary)                |   |    |   | First Named Inventor   | Ralph M. ELLISON |
| Sheet  | 6 | of | 7 | Group Art Unit         | 1614             |
|  |   |    |   | Examiner Name          | Unassigned       |
|  |   |    |   | Attorney Docket Number | 077319-0389      |

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